

**Debit Card Advisory Committee**  
**Proposed changes to R.67-1602**  
Committee Recommendation - September 23, 2015

At the October 19, 2015 business meeting, the Commission accepted the Committee's recommendations for further consideration by the Commission.

~~Deleted language~~

New language

A. The employer's representative shall pay all compensation directly to the claimant or guardian, unless otherwise ordered by the Commission.

B. The employer's representative may make a check payable to the claimant and the claimant's attorney, as allowed according to an approved Form 61, Attorney Fee Petition, or by order of the Commission.

~~(C.) The employer's representative shall make each payment in the form of a check. Payment to a person other than as directed above shall not acquit, protect, or discharge the employer or its representative for the payment due.~~

C. The employer, employer's representative, or other payer shall make payment in the form of a check, unless the parties mutually agree to an alternate payment method as provided for in this section. An employer, employer's representative, or other payer may use an electronic payment system, including, but not limited to, an electronic funds transfer, a direct deposit, debit card, or similar payment system, as an alternative method of payment if:

(1) The claimant can immediately obtain payment in full;

(2) When payment is made to a debit card account:

(a) The payer shall not charge the claimant fees related to issuance of debit card.

(b) Claimant must be provided a reasonable method to obtain payment in full without usage fees being incurred.

(c) Any other fees associated with the use of the debit card shall be disclosed to the claimant in writing by the payer.

(3) The method of payment is easily and readily accessible to the claimant;

(4) The use of an electronic payment system is optional, at the election of the parties as documented in the records of the payer; and

(5) Once the parties have agreed to use an alternate payment system in accordance with this section, either party may opt to change the method of payment to another method consistent with this section by providing 30 days written notice to the other party.

D. Other than when making payment by check, an employer, employer's representative, or other payer shall not make a payment as described in section C above, without the full, free, and written consent of the claimant, obtained without intimidation, coercion, or fear of discharge or reprisal to accept an electronic payment as an method of payment. Default payment will be by check.

E. Payment other than as directed above shall not acquit, protect, or discharge the employer, employer's representative, or other payer for the payment due.

F. The claimant may request a hearing to assess a penalty and, or, interest for late payment by filing with the Commission's Judicial Department a motion to increase compensation payments according to R.67-215.